

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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CRM-M-1576-2022 (O&M)

Date of Decision : 02.02.2022

Azad

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Manish Soni, Advocate for the petitioner.

ALKA SARIN, J. (Oral)

Taken up through video conferencing.

This is a petition under Section 482 of the Code of Criminal Procedure, 1973 for setting aside the impugned order dated 14.02.2020 (Annexure P-2) passed by learned Additional Sessions Judge, Gurugram in case bearing SC No.129 of 2018 in FIR No.0187 dated 05.07.2016 registered under Sections 447, 448, 120-B of IPC (Section 395, 397 IPC and Section 25 of Arms Act, 1959 added later on) registered at Police Station DLF Phase-I, District Gurugram.

Learned counsel for the petitioner would contend that the petitioner was admitted to bail. Thereafter, the petitioner could not appear before the Trial Court on 14.02.2020 since he had wrongly noted down the date as 24.02.2020 and his bail was cancelled on the same very date i.e. 14.02.2020 and non-bailable warrants were issued against him. It is further the contention of the learned counsel that the petitioner initially remained unwell and was admitted in hospital and thereafter the matter was not taken up due to the situation created by the COVID-19 Pandemic.

Notice of motion.

On the asking of the Court, Mr. Viney Phogat, DAG Haryana accepts notice.

Heard.

In view of the above, I deem it appropriate to dispose of the present petition with a direction that the petitioner shall surrender before the Trial Court/Duty Magistrate concerned within a period of 07 days from today and in case he does so and files an application for bail, the learned Trial Court/Duty Magistrate shall hear and decide the said application on that very day.

Disposed off.

February 02, 2022
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(ALKA SARIN)
JUDGE

NOTE : Whether speaking/non-speaking : Speaking
Whether reportable : YES/NO